

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

vs.

CHINA NORTHEAST PETROLEUM
HOLDINGS LIMITED; WANG HONGJUN
(a/k/a Hongjun Wang); JU GUIZHI (a/k/a
Guizhi Ju); and JIANG CHAO (a/k/a Chao
Jiang),

Defendants,

JIANG MINGFU (a/k/a Mingfu Jiang); and
SUN JISHUANG (a/k/a Jishuang Sun),

Relief Defendants.
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No. 12 CV 8696 (NRB)

ECF Case

NOTICE OF ACTIVITY IN PARALLEL CRIMINAL PROCEEDINGS

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PLEASE TAKE NOTICE of the following events relevant to the above captioned matter.

On April 12, 2013, Chao Jiang filed a Motion to Dismiss Plaintiff United States Securities and Exchange Commission's Complaint with Prejudice (Dkt. No. 25) ("Motion to Dismiss"), and a corresponding Memorandum of Law in Support (Dkt. No. 26). The Motion to Dismiss is currently pending before the Court. In the intervening time period, the United States Department of Justice filed a criminal indictment against Mr. Jiang, among others, in the District of Columbia on the basis of the same alleged facts at issue in the case before this Court.¹

On October 15, 2013, this Court – recognizing the potential for due process abuses posed by the SEC's discovery demands – granted Defendants' joint requests to stay discovery proceedings pending the outcome of the parallel criminal action against Mr. Jiang.

The parallel criminal proceedings have continued apace, and on January 7, 2014, Judge Richard J. Leon entered the following hearing and trial schedule:

First, on February 4, 2014, Judge Leon will hear the following motions that are currently pending on behalf of Mr. Jiang: (1) Motion to Suppress Evidence Obtained from the SEC Investigation, for an evidentiary hearing, and to dismiss counts 6 and 7 of the criminal indictment; (2) Motion to dismiss counts 2-5 of the criminal indictment for failure to charge an offense; (3) Motion to strike surplusage from the criminal indictment; and (4) Motion for bill of particulars.

Second, the jury selection in the criminal action will proceed on March 20, 2014, with the trial commencing on March 24, 2014. The pretrial conference will take place on March 6, 2014. A copy of the hearing and trial schedule entered by Judge Leon is attached hereto as Exhibit A.

¹ *United States v. Wang, et al.*, No. 1:13-cr-00152 (D.D.C.) (Leon, J.).

Respectfully submitted on January 23, 2014

By: /s/ Michael Li-Ming Wong

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PROOF OF SERVICE

I, Ariella Jones, declare as follows:

I am employed in the County of San Francisco, State of California, I am over the age of eighteen years and am not a party to this action; my business address is 555 Mission Street, Suite 3000, San Francisco, CA 94105-0921, in said County and State. On January 23, 2014, I served the following document:

NOTICE OF ACTIVITY IN PARALLEL CRIMINAL PROCEEDINGS

on the parties stated below, by the following means of service:

- ☒ **BY ELECTRONIC TRANSFER TO THE CM/ECF SYSTEM:** On this date, I electronically uploaded a true and correct copy in Adobe "pdf" format the above-listed document(s) to the United States District Court's Case Management and Electronic Case Filing (CM/ECF) system. After the electronic filing of a document, service is deemed complete upon receipt of the Notice of Electronic Filing ("NEF") by the registered CM/ECF users.
- ☒ **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 23, 2014.

/s/Ariella Jones
Ariella Jones

Exhibit A

From: DCD_ECFNotice@dcd.uscourts.gov
Sent: Tuesday, January 07, 2014 11:30 AM
To: DCD_ECFNotice@dcd.uscourts.gov
Subject: Activity in Case 1:13-cr-00152-RJL USA v. HONGJUN et al Set/Reset Hearings

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U.S. District Court

District of Columbia

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The following transaction was entered on 1/7/2014 at 2:30 PM EDT and filed on 1/7/2014

Case Name: USA v. HONGJUN et al

Case Number: 1:13-cr-00152-RJL

Filer:

Document Number: No document attached

Docket Text:

Set/Reset Hearings as to CHAO JIANG: Motion Hearing set for 2/4/2014 at 11:30 AM in Courtroom 18 before Judge Richard J. Leon. Pretrial Conference set for 3/6/2014 at 11:30 AM in Courtroom 18 before Judge Richard J. Leon. Jury Trial set for 3/20/2014 at 10:00 AM in Courtroom 18 before Judge Richard J. Leon. (tb,)

1:13-cr-00152-RJL-2 Notice has been electronically mailed to:

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